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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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JOHNSON & ASSOCIATES
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EXAMINER

HARVEY, JAMES R

ART UNIT PAPER NUMBER

2833

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/781,668

Applicant(s)

TSAI, WEN-HSIEN

Examiner

James R. Harvey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5 and 13 is/are rejected.
- 7) ☒ Claim(s) 2, 3 and 6-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Apparent Translation Errors

-- In reference to Claim(s) 1-13, it (they) is (are) objected to because the claims, specification, and abstract are replete with instances of poor grammar and terminology that are apparently due to translation errors. The words and associated grammar are considered essential in describing and protecting the meets and bounds of applicant's invention. The entire application should be reviewed and corrected to comply with standard USPTO practice.

Drawings

- A brief explanation of the drawings is required to be part of applicant's disclosure. Please include the title **BRIEF SUMMARY OF THE DRAWINGS** and a summary after the existing title **SUMMARY OF THE INVENTION** and related summary portion of applicant's disclosure.
 - The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.
- In reference to Claim(s) 1, the recitation "a plastic outer shell" is described in the specification as element numeral 30. However, figure 1 does not include numeral 30.
- In reference to Claim(s) 5, the recitation "concave" and the recitation "positioning block" are assigned respective numerals 151 and 15. However, the drawings are not seen to have these numerals.

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- The above feature(s) must be shown or the feature canceled from the claim. No new matter should be entered.
- **Please note that drawing corrections will no longer be held in abeyance. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.**
- **If drawing correction are not submitted with the response to this office action, the response will be consider a Non-Responsive Reply and the following paragraph will apply:**

The reply filed on (...) is not fully responsive to the prior Office Action because: (...) Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Claim Objections

- Claim(s) 1-13 are objected to because of the following informalities:
 - In reference to Claim(s) 1-13, they are objected to because the claims, specification, and abstract are replete with instances of poor grammar and terminology that are apparently due to translation errors.

While there are too many errors to list, some examples of the errors are as follows:

- In reference to Claim(s) 1, line 5; the recitation "the conduction lines" lacks proper antecedent basis.
- In reference to Claim(s) 1, line 5; the recitation "punctured contact" should be "punctured".

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- In reference to Claim(s) 2, line 2; the recitation "the insertion opening", should be "an insertion opening".
 - In reference to Claim(s) 4, line 5; the recitations "slots 131" and "front 13", should be "slots" and "front".
 - In reference to Claim(s) 5, lines 6 and 7; the recitations "the position blocks" and "the position pole" lacks proper antecedent basis.
 - In reference to Claim(s) 5, "for interlock" should be "for interlocking".
 - In reference to Claim(s) 6, line 6; the recitation "rib has" should be "ribs have" because "ribs" was introduced on line 3.
 - In reference to Claim(s) 6, line 1; the recitation "the terminal line separator consists of the terminal fixing plate and line binder" was previously introduced in claim 1 and does not further limit claim 1.
 - In reference to Claim(s) 7, line 8; the recitation "arrow" should be "an arrow".
 - In reference to Claim(s) 13, the recitations "the base" should be "a base", "the two ends" should properly introduce "the two ends". All the antecedent problems are too numerous to list; they make the claim vague and indefinite and must be corrected so that the public is aware of what applicant considers the meets and bounds of the claim.
- *** The entire application should be reviewed and corrected to comply with standard USPTO practice.

For purposes of examination, the claims were interpreted (as best understood) and a an examination on the merits (as best understood) of the claims is listed below.

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-- In reference to Claim(s) 4, the recitation "curved contour shape ... to form an error proof design" is vague and indefinite. Although it introduced on page 5, (paragraph [0017], line 4), there is no element numeral assigned so that the public is made aware of the meets and bounds of the claim. For purposes of examination, it is assumed that the language is intended to mean any radius on the body makes the claimed structure "curved contour shape" and it's intended use of "to form an error proof design" unpatentable. An examination based on the merits, as best understood, is addressed below.

-- Appropriate response to the above is required.

Claim Rejections - 35 USC § 103

• The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

** Claim(s) 1,4,5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (4781615) in view of Kuo (6206731).

-- In reference to Claim(s) 1, Davis shows (figure 2)

an insulated housing 28,

a terminal line separator (62, 70),

a metallic cover shell 22 (figure 1),

a plurality of puncture terminals 20, and a front cover, characterized in that the terminal

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line separator (62,70) further consists of

a terminal fixing plate 70 (the plate is for holding (fixing) the terminals from moving in the vertical direction away from the housing 28) and a line binder 62,

when the puncture terminal 20 is inserted in the insulated housing, conduction lines 64 are lined up on the line binder 62 and punctured with the puncture terminals, followed by placing the line binder 62 against the terminal fixing plate 70.

Concerning the recitation “conduction lines are lined up on the line binder and punctured with the puncture terminals, followed by placing the line binder against the terminal fitting plate”, to the extent that Davis does not explicitly disclose this particular sequence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to first line up conduction lines 64 on the binder 62 and puncture the conduction lines 64 with the puncture terminals 20 before placing the line binder 62 against the terminal fixing plate 70.

One skilled in the art would be motivated to puncture the conduction lines in order to observe a good contact between the terminals 20 and the conductors 64 before covering the area with the terminal fitting plate 70 and thus ensuring a more reliable connection.

In particular reference to the recitation “to secure spaces among the puncture terminals ” it is seen to be for the intended use of the claimed structure and is given little patentable weight, since it has been held a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Further, the claim language is not seen to claim any structure that would inhibit the reference from being used for the same purpose as the intended use recitations of the claim.

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However, Davis does not show a plastic outer shell.

Kuo shows (cover sheet) a plastic outer shell 203 (column 2, line 51) with a plastic cable nipple 200 (column 2, line 61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the plastic outer shell 203 with a plastic nipple 200 from Kuo to the invention of Davis. One skilled in the art would be motivated to use the plastic outer shell 203 because, as taught by Kuo (column 2, lines 55-64), it is good to assure secure retention of the shell in the cable connector or mechanical connection between the connector and cable.

-- In reference to Claim(s) 4, Davis shows (figure 2) the insulated housing 28 consists of an insertion front 30 at front part and a retaining platform 46 at rear part, and the insulated housing also provides an insertion holder 34 (figures 2 and 4) for the puncture terminal 20, wherein the insertion front 30 is a flat projected body, which provides two rows of terminal receiving slots 34 aligned at its top and bottom side extended throughout the portion from the insertion front 30 at the front part to the retaining platform 46 at the rear part, and utilizes the curved contour shape (radius; (near the lead line of numeral 30) figure 4) at the bottom of both sides of the projected body to form an error proof design.

In particular reference to the recitation "to form an error proof design" is seen to be for the intended use of the claimed structure and is given little patentable weight, since it has been held a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987). Further, the claim

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language is not seen to claim any structure that would inhibit the reference from being used for the same purpose as the intended use recitations of the claim.

-- In reference to Claim(s) 5, Davis shows (figure 4) the retaining platform 46 is formed mainly by a horizontal T shape block combined with the insertion front 30, and a plurality of protrusions 80 (figure 4; top and bottom) are furnished on the top and bottom ends, wherein the flat part 46 of the horizontal T shape block forms the retaining platform, and the top and bottom sides of the retaining platform provide a seat for the terminal line separator (62, 70).

In particular reference to the recitation "T shape block", applicant's disclosure is not seen to identify this with a reference numeral. For purposes of examination, it is assumed that any structure changing in size from small to large makes the recitation "T shape block" unpatentable. Davis shows structure (figure 4) changing in size from a small profile (near the lead line of numeral 28 to a large profile (near the lead line of numeral 36.

In particular reference to the recitation "for interlock with the latch slot on the metallic front shell" is seen to be for the intended use of the claimed structure and is given little patentable weight, since it has been held a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Further, the claim language is not seen to positively claim any structure that would inhibit the reference from being used for the same purpose as the intended use recitations of the claim.

In particular reference to the recitation on lines 6-10, "and a plurality of concaves on the top and bottom sides of the positioning block at the both sides of the retaining platform are

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furnished for insertion of the positioning pole of the terminal fixing plate of the terminal line separator”, the positioning block is assigned numeral 15 and the concaves are assigned numeral 151. However, these numerals do not appear in the drawings and it is not clear what applicant is seeking to claim patent protection for. Accordingly, this portion of the claim, as best understood, is seen to be shown by Davis as follows:

and a plurality of concaves 45 (equivalent to the holes that 151 enters on applicant’s figure 1) on the top and bottom sides of the positioning block (near the lead line of numeral 44) at the both sides of the retaining platform are furnished for insertion of the positioning pole 74 of the terminal fixing plate 70 of the terminal line separator.

-- In reference to Claim(s) 13, Davis shows (figure 2) the puncture terminal 20 whereby the base (near the lead line of numeral 40; figure 2) extends to the two ends to form one end as an inserting contact portion 18 and the other end (near the lead line of numeral 42) as a conduction line contact portion. The inserting contact portion 18 has a plurality of tooth spike (near the lead line of numeral 38) for use of fixing the terminals, and on the opposite side (between numerals 38 and 42) of the tooth spike 38 a flexible contact is formed with a curvature at its end, furthermore, at the end of the conduction line contact portion 42 there is formed a line puncture with a U-shape (were the line goes into the contact) for easy puncture of conduction lines.

In particular reference to the recitation “is formed into a strip by punching a flexible conductive material,” the method of forming the structure is not germane to the issue of patentability therefore this recitation has been given little patentable weight. Further, the contacts of Davis are typically formed into a strip by punching a flexible conductive material and

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applicant has not claimed any structure that would prevent the contacts of Davis from being formed in the same manner.

Allowable Subject Matter

- Claim(s) 2,3 and 6-12 has(have) allowable subject matter.
- Claim(s) 2, 3 and 6-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- The following is a statement of reasons for the indication of allowable subject matter: The prior art does not show the front metallic shell interlocked by use of the latch slot at the rear end of the metallic front shell an the examiner disagrees. latch lug on the insertion portion on the insulated housing followed by incorporating the metallic rear shell by use of the protrusion on the metallic front shell and the latch hole on the metallic rear shell (claim 2 and those dependent thereon), ribs of different width are furnished on the inner side surface near the end sections of both long sides of the line binder (claim 6 and 7), fixing protrusions of different thickness aligned in a row with the same spacing formed therein on the inner side surface near the end section of both long sides of the terminal fixing plate (claim 8) in combination with all the other elements of the claim and the examiner knows of no permissible motivation to combine the prior art such that the subject matter as a whole would have been obvious at the time the invention was made.

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If the application becomes allowable, any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowable Subject Matter".

Conclusion

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Effective May 1, 2003, the United States Patent and Trademark Office has a new Commissioner for Patents address. Correspondence in patent related matters must now be addressed to:

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

For additional information regarding the new address, see Correspondence with the United States Patent and Trademark Office, 68 Fed. Reg. 14332 (March 25, 2003).

- The prior art listed on PTO form 892 that is made of record and not relied upon is considered pertinent to applicant's disclosure because it shows the state of the art with respect to applicant's claimed invention.
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 571-272-2007. The examiner can normally be reached on 8:00 A.M. To 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 extension 33.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2800.

- Effective **October 1, 2003**, all patent application related correspondence transmitted by facsimile must be directed to the central facsimile number, **(703) 872-9306**, with a few exceptions. *See Fax Automation in Technology Center 1700*, 1237 *Off. Gaz. Pat. Office* 140 (August 29, 2000). Replies to Office actions including after-final amendments that are transmitted by facsimile must be directed to the central facsimile number. Unofficial correspondence such as draft proposed amendments for interviews may continue to be transmitted by facsimile to the Technology Centers.
- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James R. Harvey, Examiner

jrh

March 15, 2005

